SF-83 SUPPORTING STATEMENT

ENVIRONMENTAL PROTECTION AGENCY

NSPS SUBPART Ka

STANDARDS OF PERFORMANCE FOR STORAGE VESSELS OF PETROLEUM LIQUIDS FOR WHICH CONSTRUCTION, RECONSTRUCTION OR MODIFICATION COMMENCED AFTER MAY 18, 1978 AND PRIOR TO JULY 23, 1984

1. Identification of the Information Collection

1(a) Title of the Information Collection

NSPS Ka- Standards Of Performance For Storage Vessels For Petroleum Liquids for Which Construction, Reconstruction or Modification Commenced After May 18, 1978 and Prior to July 23, 1984.

1(b) Short Characterization/Abstract

The New Source Performance Standards (NSPS) for Subpart Ka was proposed on May 18, 1978 and promulgated on April 4, 1980. These standards apply to the following facilities in Subpart Ka: Storage Vessels of petroleum liquids which has a storage capacity greater than 151,416 (40,000 gallons), and for which construction, reconstruction or modification commenced after May 18, 1978 and prior to July 23, 1984.

Owners or operators of the affected facilities described must make one-time-only notifications including: notification of any physical or operational change to an existing facility which may increase the regulated pollutant emission rate, notification of the initial performance test; including information necessary to determine the conditions of the performance test, and performance test measurements and results. Owners or operators

are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Measuring requirements specific to NSPS Subpart Ka provide information on the operation of the emissions control devices. These notifications, reports and records are required, in general, of all sources subject to NSPS.

Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least two years. All reports are sent to the delegated State or local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA Regional Office.

Prior to January 19, 2001, approximately 174 respondents were subject to the NSPS Subpart Ka. After that time, OMB approved the Consolidated Air Rule for the SOCMI Industry. It is estimated that 10% of the 174 respondents will take advantage of the new Rule. The number of respondents expected to adhere to NSPS Subpart Ka is 157. No new sources are expected to become subject to NSPS Subpart Ka. If any new sources become operational, they would be subject to NSPS Subpart Kb, the most recent volatile organic compound (VOC) standard applicable to storage vessels. The annual cost of this ICR is $2,181,783.

The number of respondents was based upon an examination of Aerometric Information Retrieval System (AIRS). The number of storage vessels will not increase due to the open and closed time frame of the regulations. There is the potential for a decrease in the number of storage vessels. If an owner/operator substantially modifies a storage vessel, it becomes subject the NSPS Subpart Kb. The owner/operator is highly unlikely to

exceed the modification requirements..

In general, all NSPS standards require initial notifications, performance tests, and periodic reports. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, are required, in general, of all sources subject to NSPS.

Any owner or operator subject to the provisions of this part shall maintain a file of this information and retain the file for at least two years following the date of such measurements, maintenance reports, and records. All reports are sent to the delegated State or Local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA Regional Office.

For the currently approved ICR by OMB there were no “Terms of Clearance”.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 111 of the Clean Air Act, as amended, to establish standards of performance for new stationary sources that reflect:

> . . . application of the best technological system of continuous emissions reduction which (taking into consideration the cost of achieving such emissions reduction, or any nonair quality health and environmental impact and energy requirements) the Administrator determines has been

adequately demonstrated [Section 111(a)(l)].

The Agency refers to this charge as selecting the best demonstrated technology (BDT). Section 111 also requires that the Administrator review and, if appropriate, revise such standards every four years.

In addition, Section 114(a) states that the Administrator may require any owner or operator subject to any requirement of this Act to:

> . . . (A) establish and maintain such records; (B) make such reports; (C) install, use and maintain such monitoring equipment, and use such audit procedures, or methods; (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such a manner as the Administrator shall prescribe); (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical; (F) submit compliance certifications in accordance with section 114(a)(3) and, (G) provide additional information as the Administrator may reasonably require.

In the Administrator's judgment, volatile organic compounds (VOCs) emissions from Storage Vessels For Petroleum Liquids cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NSPS was

promulgated for this source category at 40 CFR Part 60 Subpart Ka.

2(b) Practical Utility/Users of the Data

The control of volatile organic emissions from NSPS Subpart Ka requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. For the most part, volatile organic emissions are the result of operation of petroleum storage vessels at petroleum refineries. These standards rely on the reduction of volatile organic emissions by either internal or external floating roofs or closed-vent systems.

The required notifications are used to inform the Agency or delegated authority when a source becomes subject to the standard. The reviewing authority may then inspect the source to check if the floating roof or closed vent systems are properly installed and operated. Performance test reports are needed as these are the Agency's record of a source's initial capability to comply with the emission standard, and note the operating conditions under which compliance was achieved. The information generated by the recordkeeping and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the NSPS continue to operate the control equipment used to achieve compliance with the NSPS. Adequate recordkeeping, and reporting is necessary to ensure compliance with these standards, as required by the Clean Air Act.

The information collected from recordkeeping and reporting requirements is also used for targeting inspections, and is of sufficient quality to be used as evidence in court.

3. Nonduplication, Consultations, and Other Collection Criteria

The recordkeeping and reporting requested is required under 40 CFR Part 60 Subpart Ka.

3(a) Nonduplication

If the standard has not been delegated, the information would have been sent to the appropriate Environmental Protection Agency's Regional Office. Otherwise, the information is sent directly to the delegated State or Local Agency. If a State or Local Agency has adopted their own similar regulation to implement the Federal Regulation, a copy of the report submitted to the State or Local Agency can be sent to the Administrator in lieu of the report required by the Federal Standard. Therefore, no duplication exists.

3(b) Public Notice Required Prior to ICR Submission to OMB

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register on December 22, 2000 (65 FR 80854); no comments were received.

3(c) Consultations

No consultations were done..

3(d) Effects of Less Frequent Collection

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the required standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met. If the information required by this standard was collected on a less frequent schedule, the likelihood of detecting poor operation and maintenance of control equipment and noncompliance would

decrease.

3(e) General Guidelines

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB in 5 CFR §1320.6.

3(f) Confidentiality

The required information consists of emissions data and other information that have been determined not to be private. However, any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B - Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

None of the reporting or recordkeeping requirements contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents of the recordkeeping and reporting requirements are:

Regulation	SIC Codes	NAICS Codes
NSPS Subpart Ka - Standards Of Performance For Storage Vessels For Petroleum Liquids	2911-2999	32411, 324121, 324122, 324191 and 324199

4(b) INFORMATION REQUESTED

(i) Data Items

All data in this ICR that is recorded and/or reported is required by 40 CFR Part 60 NSPS Subpart Ka- Standards Of Performance For Storage Vessels For Petroleum Liquids.

A source must make the following reports.

Reports for NSPS Subpart Ka	
Construction/reconstruction.	60.7(a)(1)
Anticipated startup.	60.7(a)(2)
Actual startup.	60.7(a)(3)
Physical or operational change.	60.7(a)(4)
Initial performance test.	60.8(d)
Information prior to construction on vapor recovery and return or disposal system including emissions data, operations design specifications and maintenance plan.	60.113a (a)(2)(i-iv)
Notification of 30 days prior to seal gap measurement.	60.113a (a)(1)(iv)
Report within 60 days when a seal gap measurement exceeds the limits of 60.112a.	60.113a (a)(1)(i)(E)

A source must keep the following records.

Recordkeeping for NSPS Subpart Ka	
Records are required to be retained for 2 Years.	60.2
Records startup, shutdowns, malfunctions.	60.7(b)
Records gap measurements: Secondary seals every year and Primary seals every five years.	60.113a (a)(1)(i)(D)
Whenever the liquid is changed or stored: period of storage, type of liquid and true vapor pressure.	60.115a (a)

ii. Respondent Activities

Respondent Activities
Read instructions.
Measure floating roof seals (gap measurement).
Review vapor recovery system.
Record change in liquid, date liquid was stored, maximum true vapor pressure.
Provide information on vapor recovery and return or disposal system, including emissions data, operations design specifications and maintenance plan.
Write the notifications and reports identified above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Adjust the existing ways to comply with any previously applicable instructions and requirements.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

5. The Information Collected -- Agency Activities, Collection Methodology, and Information Management

5(a) Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

Agency Activities
Observe initial performance tests (no longer performed).
Review notifications and reports.
Audit facility records.
Input, analyze, and maintain data in the Aerometric Information Retrieval System (AIRS) database.

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority might inspect the source to determine whether the pollution control devices are properly installed and operated. The Agency uses the performance test reports to discern a source's initial capability to comply with the emission standard, and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is entered into AIRS which is operated and maintained by EPA's Office of Air Quality Planning and Standards. AIRS is EPA's database for the collection, maintenance, and retrieval of compliance and annual emission inventory data for more than 100,000 industrial and government-owned facilities. The EPA uses AIRS for tracking air pollution compliance and enforcement by Local and State regulatory agencies, and EPA Regional Offices and Headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

The records required by this regulation must be retained by the owner or operator for two years.

5(c) Small Entity Flexibility

There are few small businesses affected by this standard. The recordkeeping and reporting requirements were selected within the context of this specific Subpart and the specific process equipment and pollutant(s). The impact on small businesses was accounted for in the regulation development. The requirements reflect the burden on small businesses. Even though, the recordkeeping and reporting requirements are the same for small and larger businesses. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced. The Agency considers these requirements the minimum needed to ensure compliance and, therefore, cannot reduce them further for small businesses.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in Section 6(d), Table 2: Industry Burden.

6. Estimating the Burden and Cost of the Collection

Section 6(d), Table 2 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for this Subpart. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified in this ICR. Responses to this information collection are mandatory. (See Section 4(b)(i). The Agency may not conduct

or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The burden to the Agency can be found at Section 6(c), Table 1.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated at 39,139 person-hours. These hours are based on Agency studies and background documents from the development of the standards or test methods, Agency knowledge and experience with the NSPS program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses $49.62 per hour for Technical labor cost includes a 110% overhead. This rate is from the United States Department of Labor, Bureau of Labor Statistics, Table 1-1. Summary, United States: Mean hourly earnings and weekly hours by selected characteristics, private industry and State and local government, National Compensation Survey, 1998, published September 2000. from the United States Department of Commerce Bureau of Labor Statistics, March 1999, Table 10: Employment Costs for Private Industry by Occupational and Industry Group. The rates are from column 1: Total compensation. The wage rate includes a 110% overhead cost.

(ii) Estimating Capital and Operations and Maintenance Costs

The only type of industry cost associated with the information collection activity in

the standards is labor cost. There are no capital or operations and maintenance costs. The capital startup costs are a one time cost when a facility becomes subject to the standard. The annual operations and maintenance costs are the ongoing costs to maintain the emission control equipment.

(iii) Capital/Start-up vs. Operating and Maintenance (O&M) Costs

There is no continuous monitoring requirement(s) for NSPS Subpart Ka.

The total Capital/Start-up costs for this ICR are $ 0. This cost is shown on the OMB 83-I form in block 14 letter a: Total annualized capital/startup costs.

The total Operating and Maintenance (O&M) Costs for this ICR is $ 0. This cost is shown on the OMB 83-I form in block 14 letter b: Total annual costs (O&M).

The total respondent costs have been calculated on the addition of the capital start up costs and the annual operations and maintenance costs. The average annual cost for capital and operations and maintenance costs to industry over the next three years of the ICR are estimated to be $0. This cost is shown on the OMB 83-I form in block 14 letter c: Total annualized cost requested. The numbers in block 14 of the OMB 83-I form are truncated to show the cost in thousands of dollars.

The only Federal costs are user costs associated with analysis of the reported information. Publication and distribution of the information are part of the AIRS program. Periodic inspection of affected sources includes the examination of records maintained by the respondents, which is part of the EPA's overall compliance and enforcement program.

The average annual Federal Government cost during the three years of the ICR is estimated to be $ 7,775. This cost is based on an average wage of a GS 10 - step1

employee is $ 17.55 hr + 110% overhead = $36.85. This rate is from OPM's 2001 General Schedule, excluding locality pay.

6(c) Table 1 - Estimating Agency Burden and Cost as a Result of NSPS Subpart Ka, Standards Of Performance For Storage Vessels For Petroleum Liquids [a]

	EPA hr/occurrence (A)	Occurrences/ plant/year (B)	EPA hr/plant/year (C=AxB)	Plants/ year (D)	EPA hr/yr (CxD)
Report Review: New Plant					
Vapor recovery information [b]					
Report Review: Existing Plant					
Notification of reconstruction	2.0	1.0	2.0	0	0
Notification of modification	2.0	1.0	2.0	0	0
Notification of seal gap measurement	0.5	1.0	0.5	174 x 0.9[c]	78
Report of gap excesses	1.0	1.0	1.0	174 x 0.9[c,d]	157
ANNUAL HOURS FOR Subpart Ka					235
10% Using the CAR Rule [f]					24
TOTAL ANNUAL HOURS					**211**

Travel Expenses
(Ten people [1 from each Region] x 0 plants/yr x 3 days/plant x $42 per diem x $90 lodging) + ($450 travel ticket/plant x 0 plant day) = $ 0/yr

Salary
(Ten people [1 from each Region] x 24.8[e] hr/year x $36.85/hr) = $7,775/yr

TOTAL ANNUAL COST **$7,775/yr**

[a] Assume no new sources subject to this regulation. All new sources will be subject to Subpart Kb.
[b] Required only at start of construction. This is a closed regulation. Any new storage vessels being constructed would be subject to the NSPS Subpart Kb.
[c] Assume that 90% of the storage vessels will use a floating roof. The remaining 10% will use a closed vent system.
[d] Each respondent is assumed to manage approximately 50 tanks subject to Subpart Ka. Assume that a number of the average 50 tanks per Respondent using a floating roof will have excessive seal gaps requiring that a single report be filed once per year.
[e] Assume the labor rate to be GS-10, Step 1 @ $17.55 x 110%=$36.85 per FY 2001 Pay Scale excluding locality pay.
f Percentage (10%) of Ka respondents utilizing the Consolidated Air Rule-OMB Number 2060-0443.

6(d) Table 2 - Estimating the Respondent Universe and Total Burden and Costs as a Result of NSPS Subpart Ka,

Standards Of Performance For Storage Vessels For Petroleum Liquids

	Hours/ Occurrence (A)	Occurrences/ respondent/ year (B)	Hours/ respondent/ year (C=AxB)	Respondents/ year (D)	Hours/ year (E=CxD)	Cost/ year (F) [b]
1. Applications	.....not applicable.....					
2. Surveys and Studies	.....not applicable.....					
3. Reporting Requirements						
A. Read Instructions	Included in 3B					
B. Required Activities						
Vapor recovery information	20	1	20	0	0	0
Measure seal gap	Included in 4E.					
C. Create Information	Included in 3B.					
D. Gather Existing Information	1	1	1	174 x 0.9	157	7,790
E. Write Report						
Notification of construction/ reconstruction	2	1	2	0	0	0
Notification of anticipated startup	2	1	2	0	0	0
Notification of actual startup	2	1	2	0	0	0
Notification of gap measurement	1.5	1	1.5	174 x 0.9[c]	235	11,661
Report of seal gap excess	2.5	1	2.5	174 x 0.9[c]	392	19,451
Information on vapor recovery	Included in 3B.					
4. Recordkeeping Requirements						
A. Read Instructions	Included in 3B.					
B. Plan Activities	Included in 3B.					
C. Implement Activities	Included in 3B.					
D. Develop Record System	.....not applicable.....					
E. Time to Enter Information						
New tank seal gap measurements	5 x 50	1	250	0	0	0
Secondary seal gap measurements	5 x 50[d,e]	1	250	174 x 0.9[c]	39,250	1,947,585

6(d)Table 2 - Estimating the Respondent Universe and Total Burden and Costs as a Result of NSPS Subpart Ka, Standards Of Performance For Storage Vessels For Petroleum Liquids, cont.

	Hours/ Occurrence (A)	Occurrences/ respondent/ year (B)	Hours/ respondent/ year (C=AxB)	Respondents/ year (D)	Hours/ year (E=CxD)	Cost/ year (F) [b]
Primary seal gap measurements	2 x 50[d,e]	0.2[f]	20	174 x 0.9[c]	3,140	155,807
Fill/refill record	.20 x 10[g]	1	2	174 x 0.9[c]	314	15,581
F. Train Personnel	.....not applicable.....					
G. Audits	.....not applicable.....					
ANNUAL BURDEN					**43,488**	**$2,157,875**
10% Using the CAR Rule [h]					4,349	215,787
TOTAL ANNUAL BURDEN					**39,139**	**1,942,077**

[a] Assume that there will be no new sources subject to the requirements of this regulation. New sources will be subject to NSPS Subpart Kb.

[b] Assume an hourly wage of $49.62 which includes the110% overhead cost. United States Department of Labor, Bureau of Labor Statistics, Table 1-1. Summary, United States: Mean hourly earnings and weekly hours by selected characteristics, private industry and State and local government, National Compensation Survey, 1998, published September 2000.

[c] Estimate that 10% of respondents will use a vapor recovery control system and the balance (90%) will use a floating roof system. Respondents using vapor recovery control are not required to do seal gap measurements.

[d] There is an approximate average of 50 tanks subject to Subpart Ka per respondent. Assume that a number of tanks per every respondent using a floating roof, will have excessive seal gaps requiring that a single report be filed once a year.

[e] Estimate five hours to conduct secondary seal measurements annually for an average 50 tanks per respondent.

[f] Estimate two hours to conduct primary seal measurements every five years.

[g] Assume that any one tank would be emptied on average once every five years, and then required to report a liquid change. During any one year, a respondent would change liquid in approximately 10 tanks or 20% of the 50 tank average at each facility.

[h] Percentage (10%) of Ka respondents utilizing the Consolidated Air Rule-OMB Number 2060-0443.

Notifications:

1. 90% of respondents will notify yearly on secondary seal gap measurements taking place		157	
2. 3% of 157 notifications will need to report secondary seal gap exceedance		5	
3. For primary gap measures, 20% of respondents will conduct			31
4. Of the 31 respondents, 1% will need to report exceeding any primary seal gap.	1		
5. 20% of respondents will notify that they are fill/refill storage vessels		31	
Total number of annual responses		225	

The total number of affected sources is 157. It is shown on the OMB 83-I form in block 13 a. This is the number of existing sources subject the NSPS Subpart Ka.

The total number of annual responses was 174. Ninety percent of the respondents (157) will notify annually on the secondary gap measure, 5 notifications will be received due to exceeding the secondary gap and 31 notifications will be received for primary gap notifications, 1 notification for exceeding the primary seal gap and 31 notifications for fill/refill. It is estimated that 10% of the total annual potential responses will comply with the Consolidated Air Rule for the SOCMI Industry (174 x 10% = 17 responses). This number is shown on the OMB 83-I form in block 13 b. The total annual labor costs are $2,181,783. This number is shown on the OMB 83-I form in block 13 c.

The total annual capital and O&M costs to the regulated entity are $ 0. This number is shown on the OMB 83-I form in block 14 c.

6(e) Bottom Line Burden Hours And Cost Tables

See Section 6(c), Table 1, EPA's Burden for complete details. In summary, the burden to the Agency is 211 hours at a cost of $ 7,775 a year. Section 6(d), Table 2, Respondents' Burden has the complete details for industry. In summary, the burden to industry is 39,139 hours at a cost of $ 2,181,783 per year.

6(f) Reasons for Change in Burden

There is a change in the burden hours. The currently approved OMB Inventory for Burden Hours for Subpart Ka is 43,514. This ICR now includes a 10% decrease due to respondents opting out of NSPS Subpart Ka and taking advantage of the Consolidated Air

Rule. The respondents taking advantage of the Consolidated Air Rule reduces the total burden assigned to NSPS Ka by 4,341 hours for a total of 39,139 burden hours.

6(g) Burden Statement

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing a respondent's burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, Office of Environmental Information (OEI), U.S. Environmental Protection Agency, Mail Code 2822, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460-0001; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Include the EPA ICR number 1050.07 and OMB control number 2060-0121 in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.